

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MARLAYNA G. TILLMAN,

Plaintiff

v.

THE PEPSI BOTTLING GROUP, INC., and
TEAMSTERS LOCAL UNION 830

Defendants

C.A. NO. 04-1314 - SLR

**MOTION FOR SUMMARY JUDGMENT OF DEFENDANT, INTERNATIONAL
BROTHERHOOD OF TEAMSTERS LOCAL UNION NO. 830 AGAINST PLAINTIFF,
MARLAYNA TILLMAN**

Defendant, International Brotherhood of Teamsters Local Union No. 830, respectfully moves this Honorable Court pursuant to Rule 56 of the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the District of Delaware, to enter Summary Judgment in favor of Defendant and against Plaintiff, Marlayna Tillman.

Summary judgment is appropriate, as there is no genuine issue of material fact in dispute and Defendant is entitled to judgment as a matter of law. In support of this Motion, Defendant files concurrently herewith its Brief, setting forth the legal bases for the relief requested herein, Appendix of Documents and Statement of Uncontested Material Facts. A proposed Order is attached herewith.

Respectfully submitted,

/s/ Clifford B. Hearn, Jr.

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